Please enter the following amendments and remarks:

STATUS OF THE CLAIMS

Claims 1-63 are pending in the Application.

Claims 1-63 have been rejected by the Examiner.

Reconsideration of the present Application is respectfully requested.

REMARKS

Response After Final

Entry of this Response is respectfully requested on the ground that this Response places the application in condition for allowance. Alternatively, entry of this Response is respectfully requested on the ground that this Response places the claims in better form and condition for appeal. Furthermore, Applicant submits that any arguments made regarding the claims herein do not require an additional search on the part of the Office, nor do any arguments made herein raise new issues with regard to the patentability of the claims now pending.

Claims 1, 4-11, 13, 16-29, 32, 34, 37-40, 55, 57-58 and 62 have been rejected under 35 U.S.C. 102(e) as being anticipated by Kim (U.S. Patent No. 6,546,002). Claims 2-3, 14-15, 35-36, 45-49, 51 and 56 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kim and in view of Dowling (U.S. Patent No. 6,522,875). Claims 12, 30-31, 33, 41-44, 59-61 and 63 have been rejected under 35 U.S.C. 103(a)

as being unpatentable over Kim in view of Lumelsky (U.S. Patent No. 6,246,672). Claims 50 and 52-53 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Dowling and further in view of Lumelsky. Applicant respectfully traverses these rejections for at least the following reasons.

Rejections under 35 U.S.C. 102(e)

Claims 1, 4-11, 13, 16-29, 32, 34, 37-40, 55, 57-58 and 62 have been rejected under 35 U.S.C. 102(e) as being anticipated by Kim (U.S. Patent No. 6,546,002). Applicant respectfully traverses these rejections for at least the following reasons.

Anticipation under 35 U.S.C. § 102 requires the cited art teach every aspect of the claimed invention. *See, M.P.E.P. §706.02(a).* In other words, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *See, M.P.E.P. §2131 citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 1 recites, in part,

> "A wireless communications system comprising: ...a remotely located knowledge agency having access to information that is responsive to user requests; ..."

Applicant respectfully disagrees with the present Office Action's analysis of Kim, which states "the profile data 138a in the master database 136 is local synchronized with database 160 (see col. 7 lines 61-64). Therefore, database's 160, 138a and 136

are localized between themselves; however, the database's are indirect connect (remotely) with the MIA 102 via network 132 (see fig. 3)". (present Office Action at section 1, page 2) It seems rather obvious, that because databases 160 and 136 are different databases located in different places, that database 136 is remote from database 160 and needs an internet connection to pass data between databases 136 and 160, and that database 160 is resident in the local device, then database 160 is ***NOT*** remotely located. Specifically, the Office Action states databases 136 and 160 are localized, but in fact, these two databases require a network to achieve connectivity. This means that databases 136 and 160 are not local in reference to each other. Also, Kim specifically states at Column 7, lines 38-42 "The local memory 106 includes a ***local*** database 160, which further includes a profile data 138b. Profile data 138a, 138b are stored in two locations; in the database master 136 and also in the local database 160 in a form of a "cashed" copy." (emphasis added) Therefore, Applicant respectfully submits the present Office Action mischaracterizes database 160 at least in it being ***remote***, no less as a remotely located knowledge agency, as recited in Claim 1 of the present invention.

In addition to database 160 being local and therefore unable to read on a remotely located knowledge agency, Applicant further respectfully submits neither database 160 nor database 136 is a knowledge agency, as recited in Claim 1. The present invention describes a knowledge agency in the Specification as comprising "a collection of individual knowledge agents 402 each possessing its own specialized knowledge and data. Once a request and other information is received from agent 214, knowledge agent(s) 402 having expertise related to the request are assigned to ***gather***

information responsive to the request. Agent 402 may ***access a number of resources in order to gather*** the necessary information. These include, but are not limited to, electronic databases 210 and directories 212 that agency 206 has access to." Page 12, last paragraph. Further"[a] knowledge agent may ***search for and gather information***..." Page 13, first full paragraph (emphasis added). These features of the knowledge agency are not tasks or actions that can be performed by a database. In fact, part of the function of the knowledge agency is to access databases, not to merely ***be*** a database. Therefore, Applicant respectfully submits Kim does not teach or suggest a knowledge agency at all, no less a remotely located knowledge agency, as recited in Claim 1 of the present invention.

In rejecting Claims 7 and 8, the present Office Action again mischaracterizes Kim in describing the knowledge agency. The present Office Action states at section 3, first full paragraph of page 4, "Regarding claims 7-8 ... Kim discloses the knowledge agency comprises a plurality of subscribers-agencies (132, 1320 fig. 13)..." 1320 of Figure 13 is an Advertisement database storing advertisements to show to users. Again, the knowledge agency is not merely a database. Further, the knowledge agency, as described above, is to have expertise related to a request and to gather information responsive to the request, not pepper a user with advertisements.

The present Office Action also refers generally to the knowledge agency and bases Kim's disclosure of the knowledge agency at "col. 8-11" This is 4 columns of disclosure covering approximately 3000 words of technical material. While Kim discusses many features of the invention of Kim, this is an overly broad section to describe the relatively straight forward concept of a knowledge agency as used and

claimed in the present invention. Also, Applicant respectfully points out the present Office Action, when providing more direct characterizations of the knowledge agency in Kim, has now pointed to 3 different databases, each being a distinctly different component of the invention described in Kim. This inconsistent characterization of how exactly Kim describes a knowledge agency should lead to the conclusion that Kim, in fact, ***fails*** to teach, or suggest, a remotely located knowledge agency.

Wherefore, Applicant respectfully submits the cited reference fails to teach or suggest at least each of the limitations of Claim 1, and hence fails to anticipate it. Accordingly, Applicant respectfully requests reconsideration and removal of at least this rejection to independent Claim 1. With respect to independent Claims 13, 34, 55 and 58, the present Office Action sets forth the rejection discussed hereinabove with respect to Claim 1. Applicant respectfully submits that each of Claims 13, 34, 55 and 58 is similarly distinguished over the prior art cited for at least the reasons set forth with respect to Claim 1, in that the prior art cited does not teach or suggest a remotely located knowledge agency. Analogously, Applicant respectfully submits that Claims 2-12, 14-33, 35-44, 56-57 and 59-63 similarly overcome the prior art, at least because each of these Claims' ultimate dependence on a patentably distinguishable base, Claim 1, 13, 34, 55 or 58, respectively.

Rejections under 35 U.S.C. 103(a)

Claims 2-3, 14-15, 35-36, 45-49, 51 and 56 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kim and in view of Dowling (U.S. Patent No.

6,522,875). Claims 12, 30-31, 33, 41-44, 59-61 and 63 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Lumelsky (U.S. Patent No. 6,246,672). Claims 50 and 52-53 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Dowling and further in view of Lumelsky. Applicant respectfully traverses these rejections for at least the following reasons.

35 U.S.C. §103(a) recites:

> [a] patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). MPEP 706.02(j).

With respect to Claim 45, the present Office Action sets forth the rejection discussed hereinabove with respect to Claim 1. Applicant respectfully submits that

Claim 45 is similarly distinguishable over the prior art cited for at least the reasons set forth with respect to Claim 1, in that the prior art cited does not teach or suggest a remotely located knowledge agency. The shortfall in the teaching of Kim, described herein above, is not rectified by the additional teachings of Dowling or Lumelsky, nor does the present Office Action cite to Dowling or Lumelsky to remedy the shortfall. Analogously, Applicant respectfully submits that Claims 46-54, and for that matter, all of Claims 2-12, 14-33, 36-44, 46-54, 56-57, and 59-63 similarly overcome the prior art, at least because of these Claims' ultimate dependence on a patentably distinguishable base Claim 1, 13, 34, 45, 55 or 58.

Conclusion

Applicant respectfully requests early and favorable action with regard to the present Application, and a Notice of Allowance for all pending claims is earnestly solicited.

Respectfully Submitted,

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